

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

WILLIAM MCGHEE,

Plaintiff,

v.

CIV-04-0239 MV/LAM

JOE WILLIAMS, et al.,

Defendants.

**ORDER GRANTING IN PART AND DENYING IN PART**  
**PLAINTIFF'S NOTICE TO COURT (Doc. 291)**

THIS MATTER is before the Court on Plaintiff's *Notice to Court* (Doc. 291), filed on June 3, 2009, which the Court construes as a motion. In this document, Plaintiff asks about his Second Amended Civil Complaint, which he states was supposed to be an exhibit to *Document 289*, but Plaintiff states that the exhibit was not returned to him when *Document 289* was filed. *See Notice to Court* (Doc. 291) at 1. Plaintiff states that he "really want[s] to know if the Second Amended Civil Complaint reached the Court" (*id.* at 2), and he asks that the Second Amended Civil Complaint be "posted on the [C]ourt['s] website" and that the Court send him a copy of it (*id.* at 4).

To the extent Plaintiff is asking for the Second Amended Civil Complaint to be filed in the Court's electronic filing system (CM-ECF), the Court will deny that request as moot because the Court's docket for this case shows that Plaintiff's Second Amended Civil Complaint did reach the Court and was included on the CM-ECF docket as an attachment to his *Motion for Leave to Amend Complaint* (Doc. 289),<sup>1</sup> on May 26, 2009. *See Document 289-2*. The Court notes, however, that

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<sup>1</sup>The Court notes that the Court has recommended that the *Motion for Leave to Amend Complaint* (Doc. 289) be denied. *See Proposed Findings and Recommended Disposition* (Doc. 290).

it is not clear whether a copy of the Second Amended Civil Complaint (*Doc. 289-2*) was sent to Plaintiff because it was added as an attachment four days after Plaintiff's ***Motion for Leave to Amend Complaint*** (*Doc. 289*) was filed. *See* NEF for ***Motion for Leave to Amend Complaint*** (*Doc. 289*), dated May 22, 2009. The Court will, therefore, direct the clerk to send Plaintiff a copy of his Second Amended Civil Complaint (*Doc. 289-2*) to his address of record. To the extent Plaintiff is asking for any further relief in his ***Notice to Court*** (*Doc. 291*), the Court **denies** that request.

**IT IS THEREFORE ORDERED** that Plaintiff's ***Notice to Court*** (*Doc. 291*) is **DENIED** **as moot** to the extent it is asking the Court to file Plaintiff's Second Amended Civil Complaint as an attachment to his ***Motion for Leave to Amend Complaint*** (*Doc. 289*).

**IT IS FURTHER ORDERED** that the Clerk send a copy of Plaintiff's Second Amended Civil Complaint (*Doc. 289-2*) to Plaintiff's address of record.

**IT IS FURTHER ORDERED** that any further relief requested by Plaintiff in his ***Notice to Court*** (*Doc. 291*) is **DENIED**.

**IT IS SO ORDERED.**

*Lourdes A. Martinez*  
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LOURDES A. MARTÍNEZ  
UNITED STATES MAGISTRATE JUDGE